

CITY COUNCIL REPORT



Meeting Date: November 14, 2012
 General Plan Element: *Land Use*
 General Plan Goal: *Create a sense of community through land uses*

ACTION

Bacara
9-ZN-2012

Request to consider the following:

1. Adopt Ordinance No. 4050 approving a zoning map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning to Single-Family Residential, Environmentally Sensitive Lands, Planned Residential Development (R1-10 ESL PRD) zoning with a Development Plan and Amended Development Standards, finding that the Planned Residential District (PRD) criteria have been met, and determine that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on a 40 +/- acre parcel located at the southeast corner of E. Juan Tabo Road and N. Scottsdale Road.
2. Adopt Resolution No. 9225 declaring "Bacara Development Plan", as a public record.

OWNER

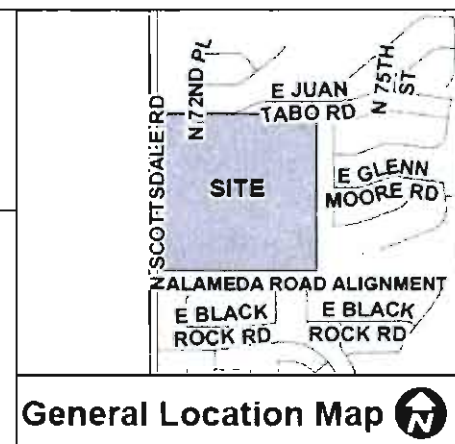
The Findlay Management - Scottsdale Rd, LLC
 203-486-7660

APPLICANT CONTACT

Tom Kirk
 Camelot Homes Inc
 480-367-4316

LOCATION

Southeast corner of E. Juan Tabo Road and N. Scottsdale Road



BACKGROUND

General Plan

The General Plan Land Use Element designates the property as Suburban Neighborhoods. This designation supports medium to small lot single-family neighborhoods or subdivisions. Densities are usually more than one house per acre, but less than eight homes per acre.

Zoning

The site is zoned Single-Family Residential District, Environmentally Sensitive Lands (R1-43 ESL). The site was annexed into the City of Scottsdale in January of 1982. Case 32-Z-82 rezoned the property from County Rural-43 to R1-43. The Environmentally Sensitive Lands zoning overlay was added in 1991.

A preliminary plat for a 24-lot subdivision proposed to be developed under the existing R1-43 ESL zoning was approved by the Development Review Board in October 2011. A final plat for the 24-lot subdivision was never submitted. Since that time, Camelot Homes, who are in escrow to buy this property, has submitted the subject rezoning application.

Context

The subject property is located at the southeast corner of N. Scottsdale Road and E. Juan Tabo Road. The forty (40) acre +/- site is currently undeveloped with a wash that bisects the site from northeast to southwest across the property. To the east is the Pinnacle Reserve Two residential subdivision zoned R1-7 ESL. To the south is the Los Portones residential subdivision zoned R1-5 ESL. To the north, across Juan Tabo Road, is the Pinnacle Reserve One residential subdivision zoned R1-7 ESL. To the west, across Scottsdale Road, is undeveloped property within the City of Phoenix with commercial and multiple-family residential zoning.

Key Items for Consideration

- Amended development standards requested for front yard setbacks
- A 100-foot Scenic Corridor, a 10-foot wide concrete path and an 8-foot wide non-paved trail are proposed along the Scottsdale Road frontage.
- 14.22 acres of Natural Area Open Space is proposed.
- Planning Commission heard this case on October 10, 2012 and recommended approval with a unanimous vote of 6-0.

Other Related Policies, References:

- In 2011, the City Council approved a Hardship Exemption for the subject site, case 1-HE-2011. This approval allows maximum building heights of thirty (30) feet measured from natural grade, allows mass grading before the submittal of building plans and allows site walls to be located within required ESL setback area.
- 2-PP-2011: Preliminary plat approval for a 24-lot single-family subdivision.
- 1-WM-2011: Approved a wash modification on the subject property.

APPLICANTS PROPOSAL

Goal/Purpose of Request

The applicant's request is to rezone the subject property from R1-43 ESL to R1-10 ESL PRD, and amend the front yard setback development standard for a new fifty (50) lot single family residential subdivision. Specifically, the applicant is requesting to amend the front yard setback from thirty (30) feet to twenty (20) feet for forward facing garages and ten (10) feet for all other elements of the structure. Camelot Homes, the applicant, is requesting this amended development standard to offer larger rear yards for the housing product. It would also increase the opportunity for single story plans to fit on the lots, which may be preferred by adjacent properties bordering the site.

Development Information

- Existing Use: Undeveloped Land
- Proposed Use: 50 Lot Single-family residential subdivision
- Parcel Size: 38.55 acres
- Building Height Allowed: 30 feet as measured from natural grade (per 1-HE-2011)
- Building Height Proposed: Not to exceed 30 feet as measured from natural grade (per 1-HE-2011)
- NAOS Required: 10.6 acres
- NAOS Provided: 14.2 acres
- Density Proposed: 1.30 dwelling units per acre

IMPACT ANALYSIS

Zoning & Development Comparison

Development Standard	Straight R1-43 ESL Zoning	Approved R1-43 ESL Preliminary Plat	Straight R1-10 Zoning	Proposed R1-10 ESL PRD
Min. Lot Area	43,000 s.f.	32,250 s.f.	10,000 s.f.	11,200 s.f.
Lot Width	150 feet	113 feet	80 feet	80 feet
Maximum Building Height	24 feet from natural grade	30 feet from natural grade	24 feet above natural grade	30 feet above natural grade
Maximum Density	39 lots	24 lots (.62 du/ac)	167 lots	50 lots (1.30 du/ac)
NAOS	10.6 acres required	10.6 acres required, 14.4	10.6 acres required	14.2 acres provided

		acres provided		
Front Yard Setbacks	40 feet	30 feet	30 feet	20 feet to forward facing garages, and 10 feet for all other elements of the structure
Front Yard Corner	40 feet	30 feet	30 feet on narrowest frontage and 15 feet on intersecting street	20 feet to forward facing garages and 10 feet for all other elements of the structure on narrowest frontage and 15 feet on intersecting street
Side Yard Setbacks	20 feet	15 feet	Aggregate width of 7 feet	Aggregate width of 7 feet
Rear Yard Setbacks	35 feet	27 feet	25 feet	25 feet
Distance Between Main and Accessory Buildings	10 feet	10 feet	10 feet	10 feet
Distance Between Main Buildings on Adjacent Lots	40 feet	30 feet	14 feet	14 feet
Perimeter Setbacks	Homes shall be setback 35 feet from rear property line	Nearest lot 30 feet from east property line	Homes shall be setback 25 feet from rear property line	Nearest lot 50 feet from east property line

PRD Findings

That the development proposed is in substantial harmony with the General Plan of the City of Scottsdale, and can be coordinated with existing and planned development of surrounding areas.

- The proposed subdivision is consistent with the General Plan, Suburban Neighborhood designation which allows up to eight (8) dwelling units per acre, and is consistent or lower than the density of adjacent developments. The density of the proposed development is 1.30 dwelling units per acre. The density of the adjacent subdivisions range from 2.9

dwelling units per acre to 3.8 dwelling units per acre. The applicant is also providing a 50-foot wide buffer between the proposed lots and the subdivision to the east. The previous approved plan proposed a 30-foot wide buffer.

That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.

- **The proposed development is estimated to generate 490 daily vehicle trips. Ingress and egress from the development will be from N. Scottsdale Road via the E. Alameda Road alignment. To improve vehicular safety, the developer is required to construct a right-turn deceleration lane on N. Scottsdale Road at the E. Alameda Road alignment. A “pork chop” median island will also be constructed along N. Scottsdale Road to channelize left turn in and left turn out movements on and out of E. Alameda Road. The developer is also required to construct a ten (10) foot wide concrete multi-use path and an eight (8) foot wide trail along the east side of N. Scottsdale Road adjacent to the development.**

The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing will establish beyond a reasonable doubt that the planned residential development will constitute a residential environment of sustained desirability and stability that will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities such as schools, playgrounds and parks, are adequate to serve the anticipated population.

- **The requested amended development standard to modify the front yard setbacks is similar to that of the adjacent subdivisions. The development is proposed to have a private tot lot, common space and a ramada to serve the new residents. The eastern perimeter buffer has been increased by 20 feet over the previous application. No additional public facilities or schools are needed with this development.**

Water/Sewer

There is adequate water and sewer capacity in the area to serve the proposed development.

Public Safety

The site plan provides adequate room for the circulation of emergency vehicles. The nearest fire station is located near the northwest corner of N. Pima Road and E. Jomax Road, which is approximately 3.75 miles to the northeast. The property is located within Police Patrol District 4 and the nearest police station is located at 20363 N. Pima Road, which is approximately 4.25 miles to the southeast.

School District Comments/Review

The applicant has notified the Paradise Valley School District of the proposal. The school district has confirmed that there are adequate school facilities to accommodate the projected number of additional students generated by the rezoning within the school district’s attendance area.

Open Space

Forty six (46) percent of the overall area of the project will remain as open space, with 17.8 acres of open space is being provided with this development, of which 14.2 acres will be Natural Area Open

Space. A fifty (50) foot wide landscape buffer is being provided on the east side of the property, which is 20 feet greater than what was proposed with the previous application.

Community Involvement

On June 4, 2012, the applicant mailed letters about the proposed project, as well as open house invitations to property owners within 750-feet. Three separate neighborhood meetings were held, one on June 14th for property owners to the south, one on June 18th for property owners to the north, and one on June 20th for property owners to the east. The neighborhood meetings were held at the Appaloosa Library, 7377 E. Silverstone Drive. A total of 15 residents attended these meetings. Per the applicant's Citizen Review Report, those who attended had a favorable view of the project.

On August 2, 2012, City staff mailed out postcards to property owners within 750-feet, as well as to the interested parties list, notifying the public that the City has received a rezoning application.

On August 29, 2012, the applicant again mailed letters about the proposed project, as well as open house invitations to property owners within 750-feet, as well as to the interested party list that was supplied by City staff. A neighborhood meeting was held on September 18th at the Appaloosa Library, 7377 E. Silverstone Drive. 17 residents attended the meeting. The applicant's Citizen Review Report is an attachment to this report.

As of the drafting of this report, staff has received two e-mails in opposition to the request and two phone calls requesting additional information.

OTHER BOARDS & COMMISSIONS

Planning Commission

Planning Commission heard this case on October 10, 2012, and found that the development plan meets the Planned Residential Development (PRD) criteria and that the zoning map amendment is consistent with the adopted General Plan and they recommended approval with a unanimous vote of 6-0.

Staff recommendation to Planning Commission

Staff recommended that the Planning Commission find that the Planned Residential Development (PRD) criteria have been satisfied, and determine that the proposed zoning district map amendment is consistent and conforms to the adopted General Plan, and make a recommendation to City Council for approval of the Development Plan and Amended Development Standards, per the attached stipulations.

OPTIONS & STAFF RECOMMENDATION

1. Recommended Approach:

Adopt Ordinance No. 4050 approving a zoning map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning to Single-Family Residential, Environmentally Sensitive Lands, Planned Residential Development (R1-10 ESL PRD) zoning with a Development Plan and Amended Development Standards, finding that the Planned Residential District (PRD) criteria have been met, and determine that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on a 40 +/- acre parcel located at the southeast corner of E. Juan Tabo Road and N. Scottsdale Road.

2. Adopt Resolution No. 9225 declaring "Bacara Development Plan", as a public record.

RESPONSIBLE DEPARTMENT

Planning, Neighborhood and Transportation

Current Planning Services

STAFF CONTACT

Keith Niederer, Senior Planner

480-312-2953

E-mail: kniederer@ScottsdaleAZ.gov

APPROVED BY



Keith Niederer, Report Author

10-11-12

Date



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

10/12/2012

Date



Randy Grant, Administrator
Planning, Neighborhood and Transportation
480-312-2664, rgrant@scottsdaleaz.gov

10/15/12

Date

ATTACHMENTS

1. Ordinance No. 4050
 - Exhibit 1. Stipulations
 - Exhibit 2. Zoning Map
2. Resolution No. 9225
 - Exhibit A. Development Plan
3. Additional Information
4. Context Aerial
- 4A. Aerial Close-Up
5. General Plan Map
6. Citizen Involvement Report
7. Correspondence
8. City Notification Map
9. October 10, 2012 Planning Commission Minutes

ORDINANCE NO. 4050

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 9-ZN-2012 FROM SINGLE-FAMILY RESIDENTIAL, ENVIRONMENTALLY SENSITIVE LANDS (R1-43 ESL) ZONING TO SINGLE-FAMILY RESIDENTIAL, ENVIRONMENTALLY SENSITIVE LANDS, PLANNED RESIDENTIAL DEVELOPMENT (R1-10 ESL PRD) ZONING, AND APPROVING A DEVELOPMENT PLAN WITH AMENDED DEVELOPMENT STANDARDS ON A 40 +/- ACRE PARCEL LOCATED AT THE SOUTHEAST CORNER OF E. JUAN TABO ROAD AND N. SCOTTSDALE ROAD.

WHEREAS, the Planning Commission held a hearing on October 10, 2012; and

WHEREAS, the City Council held a hearing on November 14, 2012; and

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 9-ZN-2012.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by rezoning a 40 +/- acre located at the southeast corner of E. Juan Tabo Road and N. Scottsdale Road and marked as "Site" (the Property) on the map attached as Exhibit 2, incorporated herein by reference, from Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning to Single-Family Residential, Environmentally Sensitive Lands, Planned Residential Development (R1-10 ESL PRD) zoning.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 1 and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 14th day of November, 2012.

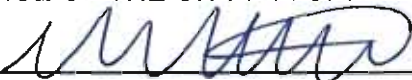
ATTEST:

CITY OF SCOTTSDALE, an Arizona
Municipal Corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Bruce Washburn, City Attorney
By: Sherry R. Scott, Deputy City Attorney

Stipulations for the Zoning Application:

Bacara

Case Number: 9-ZN-2012

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

SITE DESIGN

1. CONFORMANCE TO DEVELOPMENT PLAN AND AMENDED DEVELOPMENT STANDARDS. Development shall conform with the Development Plan and Amended Development Standards with the City Staff date of 10/2/2012, entitled "Bacara Development Plan," adopted in Resolution No. 9225 and incorporated herein by reference. Any change to the development standards shall be subject to additional public hearings before the Planning Commission and City Council.
2. BUILDING HEIGHT LIMITATIONS. No building on the site shall exceed thirty (30) feet in height, measured as provided from natural grade, in conformance with case 1-HE-2011.
3. BUILDING HEIGHT LIMITATIONS. Lots 19, 20, 39 through 50 shall be limited one-story dwelling units and shall not contain rooftop balconies. Lots 14 through 16 shall also be limited to one-story with a loft option, and shall not contain rooftop balconies. The loft option is limited to a second story under the roof without windows facing the rear yard.
4. MAXIMUM NUMBER OF LOTS. The maximum number of lots shall not exceed fifty (50) without additional public hearings before the Planning Commission and City Council.
5. MINIMUM AMOUNT OF NATURAL AREA OPEN SPACE (NAOS). The amount of NAOS shall not be reduced below 14.2 acres without additional public hearings before the Planning Commission and City Council.

INFRASTRUCTURE AND DEDICATIONS

6. CIRCULATION IMPROVEMENTS. Before any certificate of occupancy is issued for the site, the owner shall make the required dedications and provide the following improvements in conformance with the Design Standards and Policies Manual and all other applicable city codes and policies.
 - a. STREETS. Dedicate the following right-of-way and construct the following street improvements:

Street Name	Street Type	Dedications	Improvements	Notes
N. Scottsdale Road	Major Arterial	Additional 25-foot right-of-way to provide 75-foot half street right-of-way	Deceleration lane, median island, sidewalk, bicycle lane, multiuse path, trail	a.1.

E. Juan Tabo Road	Local Collector	Additional 10.5-foot right-of-way, 8' Public Utility Easement	Construct a half street improvement along the property frontage (approximately 660 LF) per DS&PM Figure 5.3-16 with sidewalk	a.2.
Subdivision Entry Road (E. Alameda Road alignment)	Local Residential	30' existing right-of-way on the property to the south to remain. Dedicate public access easement over the northern portion of the entry drive from Scottsdale Road to the private gate	Construct a full street improvement - min. drivable lane width of 20 feet.	a.3.
Internal Streets	Local Residential (Private Road)	A 40-foot full width private street tract and a 50-foot radius tract for the cul-de-sacs. 8' Public Utility Easement along both sides of the streets.	Construct a full street improvement per DS&PM Fig. 5.3-19 and 5.3-50	a.4.

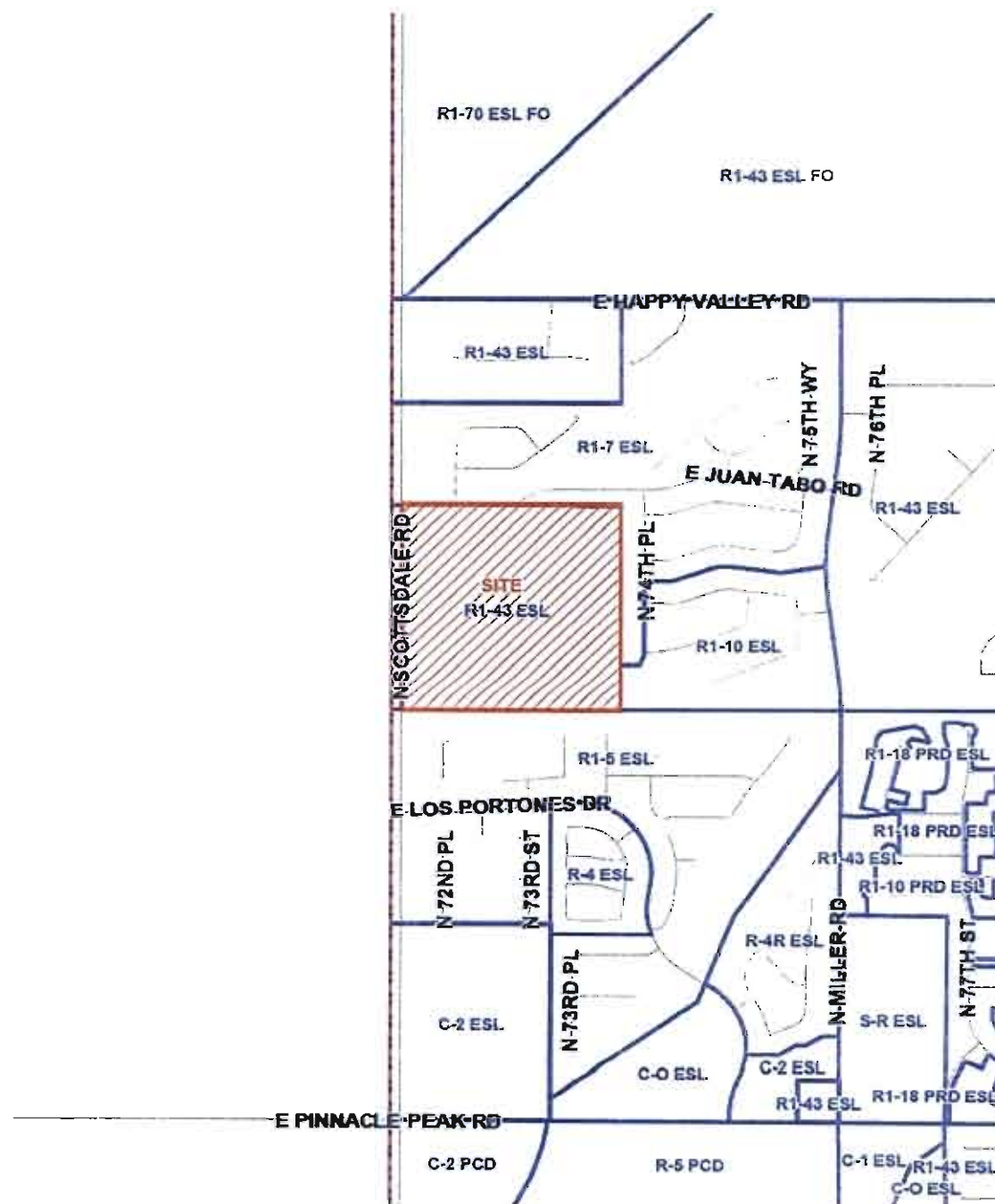
- a.1. The owner/developer shall construct right turn deceleration lane and left turn acceleration lane on N. Scottsdale Road at site entrance. A "pork chop" median island shall be constructed on N. Scottsdale Road to channelize the left turn in and left turn out movements in and out of E. Alameda Road. The improvement shall tie to existing improved roadway and include paving, striping and signing. The final design is subjected to review and acceptance by City of Scottsdale Transportation Engineering Department.
- a.2. The owner/developer shall construct East Juan Tabo Road in compliance with City of Scottsdale Design Standard & Policies Manual Local Collector Street Rural/ESL Standard Figure 5.3-16 with roll curb and minimum 6-foot sidewalk,

transitioning to existing 5 foot wide sidewalk to the east. The improvement shall tie into the existing full-street section.

- a.3. The owner/developer shall construct the subdivision entry road in compliance with City of Scottsdale Design Standards & Policies Manual (DS&PM), with min. 20 foot wide drivable lanes, median, roll curb and a 6-foot sidewalk along one side.
- a.4. The owner/developer shall construct internal street to conform to Sec. 5-3.107B "Local Residential – Rural/ESL Character" (Figure 5.3-19) as set forth in the DS&PM. Internal streets shall be minimum 24 feet wide with roll curb and minimum 6-foot sidewalk along at least one side of the street, and shall be contained within a minimum 40-foot wide private street tract. The owner/developer shall dedicate a minimum 8-foot wide Public Utility Easement to the City of Scottsdale along both sides of internal streets.
- b. VEHICLE NON-ACCESS EASEMENT. Dedicate a one foot wide vehicular non-access easement on Scottsdale Road except at the approved, Alameda Road street entrance.
7. PEDESTRIAN CONNECTION. The owner/developer shall construct an unpaved pedestrian connection from the internal sidewalk system to the northeast corner of the site. The unpaved trail shall be composed of stabilized decomposed granite extends to the north property line.
8. IN LIEU PAYMENTS. Before any building permit is issued for the site, the owner shall make an in-lieu payment of \$203,312.75 to the City of Scottsdale to be entered into Scottsdale Road CIP account # 410-50311. This amount is based upon 25% cost share for Scottsdale Road improvement of future drainage structure at Scottsdale Road major wash crossing, as identified in the Preliminary Drainage Report.
9. SCENIC CORRIDOR SETBACKS LOCATION AND DEDICATION. The Scenic Corridor setback width along N. Scottsdale Road shall be a minimum of 100 feet, measured from edge of right-of-way. Unless otherwise approved by the Development Review Board, the Scenic Corridor setback shall be left in a natural condition. The final plat shall show all Scenic Corridor setback easements dedicated to the city.
10. VISTA CORRIDOR EASEMENTS. Each Vista Corridor, a watercourse with a peak flow rate of 750 cfs or greater based on the 100 year – 2 hour rain event, shall be dedicated to the city on the final plat as a continuous Vista Corridor easement dedicated to the city. The easement shall be dedicated in the area bounded by Scottsdale Road on the west, Juan Tabo Road on the north, lots 1 through 16 on the east and the Alameda Road alignment on the south, as shown on the Development Plan. The easement shall include, at a minimum, any existing low flow channels, all major vegetation, and the area between the tops of the banks of the watercourse. At the time of the Development Review Board submittal, the owner shall stake the boundaries of the Vista Corridor easement as determined by city staff. Unless approved by the Development Review Board, all Vista Corridors shall be left in a natural state.
11. SEWER EASEMENT. With the final plat, the owner shall dedicate a 10 foot sewer easement along the south property line for the maintenance of the existing sewer line located east of the proposed drive.

12. MULTI-USE PATH. Before any building permit is issued for the site, the owner shall construct a minimum 10-foot wide concrete multi-use path within the right-of-way along Scottsdale Road before any certificate of occupancy is issued for the site, as shown on the submitted Development Plan. The path shall be designed in conformance with the Design Standards and Policies Manual and shall be separated from edge of pavement as much as possible.
13. MULTI-USE TRAIL. Before any certificate of occupancy is issued for the site, the owner shall construct a minimum 8-foot wide multi-use trail along Scottsdale Road. The trail shall extend to the north property line and extends to connect to the existing trail to the south. It shall be contained within a minimum 25-foot wide public non-vehicle access easement dedicated to the city before any building permits are issued for the site. The alignment of the trail shall be subject to approval by the city's Zoning Administrator or designee prior to dedication. The trail shall be designed in conformance with the Design Standards and Policies Manual.

Zoning Map



9-ZN-2012

Exhibit 2
Ordinance No. 4050

RESOLUTION NO. 9225

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "BACARA DEVELOPMENT PLAN."

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That certain document entitled "Bacara Development Plan," attached as Exhibit A, three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of November, 2012.

ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: _____
Carolyn Jagger, City Clerk

By: _____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Bruce Washburn, City Attorney
By: Sherry R. Scott, Deputy City Attorney

Bacara Development Plan

Bacara

Rezoning Application

Project Narrative

Project Description:

The Bacara property (fka Findlay 40) is approximately 40 acres of undeveloped vacant land located at the southeast corner of Scottsdale Road and Juan Tabo Road, adjacent to the Pinnacle Reserve I neighborhood to the north, the Pinnacle Reserve II neighborhood to the east, two Los Portones neighborhoods to the south (Ladara & Talara), and undeveloped Arizona State Land Department property to the west. This Camelot Homes' community will be gated with private streets. Vehicular access to the project will be located well off of Scottsdale Road and provided along a tree-lined portion of the Alameda Road alignment on the southern boundary of the property using existing public right-of-way.

The Bacara plan is for fifty 80' x 140' lots. Over 17 acres (approximately 47%) of the site will be open space. A majority (over 14 acres) of the open space will be dedicated as Natural Area Open Space (NAOS), the largest portion of which is located on the western one third of the site, proximate to Scottsdale, Juan Tabo and Alameda Roads. NAOS is also situated along the perimeter of the site to help provide a buffer to adjacent neighborhoods with lots that back up to the property. This NAOS perimeter buffer consists of 50' on the eastern perimeter of the site, 30' and more (on site) on the southern perimeter, and 20' (on site) on the northern perimeter. There will also be NAOS in the interior of the community.

Purpose of Request:

Camelot desires to rezone the property from its current zoning designation of R1-43 ESL to R1-10 PRD ESL to permit the development of fifty high-quality homes on 80' x 140' (and larger) single family lots. The City of Scottsdale General Plan designates this site as "Suburban Neighborhood" which allows for residential densities of between 1 and 8 units per acre or up to a maximum of 320 units. Camelot's proposed plan results in a density of only 1.25 units/acre.

In November 2011 the property received preliminary plat approval for 24 one acre lots under R1-43 ESL; however, Camelot's proposed plan contains a number of improvements from the prior plan. For instance, the amount of open space in Camelot's proposed plan increases by over 5 acres from 12.4 acres to 17.8 acres or an increase of 43% from the previous plan. The percentage of open space increases from 32% of the site to 47% of the site. While the unit density is increasing, open space buffers have been added that are providing separation from the adjacent lots to the east and south that did not exist previously. A 50' open space buffer was added along the entire eastern boundary, where the previous 1 acre lot plan positioned lots directly against the adjacent lots to the east. Similarly a 30' buffer behind the lots on the south end of the property was added and a 20' buffer behind the lots on the north end of the property was added. These buffer areas add to existing open space tracts to provide a significant separation from the immediately adjacent lots.

The previous 1 acre lot plan positioned the lot lines directly against the perimeter limits of the property in these areas. Finally the area of development of the proposed plan remains consistent with the area of development from the 1 acre plan. All in all we believe these design changes represent a plan that is an improvement to and as least as compatible to the surrounding neighborhoods as the prior preliminary plat.

Camelot also desires to modify one of the development standards of the R1-10 zoning category to reduce the front setback from 30' to 20' for forward facing garages and 10' for all other elements of the structure. The remaining R1-10 setback requirements remain unchanged, resulting in the following setbacks:

- Front – 20' to forward facing garages, 10' to all other elements of the structure
- Rear – 25'
- Interior Side Yard – 7' & 7'
- Street Side Yard – 15'

This requested change will have no negative impact on any of the neighboring property owners since the rear setbacks remain unchanged adjacent to any boundary with existing neighbors. Modifying the front yard setback to 20' and 10' within this gated community will provide benefits to the residents of both Bacara and neighboring communities. For example, by reducing the front yard setback, the impact on the neighboring properties improves by allowing for the opportunity to move the homes forward on the lots thus providing for the opportunity of increasing the size of the rear yard and increasing the distance from the rear of the homes to the adjacent property owners bordering the site. Further, by reducing the front yard setback, this increases the opportunity for single story plans to fit on the lots which is a preferred condition for adjacent property owners bordering the site. Reducing the front yard setback will also benefit future residents of Bacara by providing the opportunity for additional architectural variety and a more diverse interior streetscape. Additionally, the subject site is a private gated neighborhood with no cut through traffic. In fact with the ingress and egress to the project coming off Alameda Road and with no vehicular connections to the north, east or south, Bacara will not introduce any additional traffic onto the neighborhood streets of the adjacent neighborhoods.

Surrounding Properties:

A comparison of the zoning, lot sizes and density of the neighborhoods surrounding the Bacara property compared to our rezoning request to R1-10 PRD ESL is shown below. At 1.25 units/acre, our proposed plan is in conformance with the General Plan (which allows 1-8 du/acre), is substantially below the density of the surrounding properties, and provides lots that are significantly larger than neighboring lots.

	Bacara	Pinnacle Reserve I	Pinnacle Reserve II	Los Portones Ladara	Los Portones Talara
Zoning	R1-10	R1-7	R1-7/R1-10	R1-5	R1-5
Lot Size	80 x 140	50 x 110	50 x 110 60 x 110 70 x 110	55 x 105	70 x 110
Density DU/Acre	1.25	3.7	2.9	3.8	2.8

Single Family Lots:

Bacara's single family lots have been oriented to reduce or avoid impacts on active wash corridors and significant topographic features. The orientation for each has been carefully laid out to promote the integration of development into the existing natural environment and provide ample buffer to the surrounding developments.

On-Site & Off-Site Drainage:

The property is located in an area that is subject to ephemeral storm water runoff resulting from storm water breakouts of the primary Rawhide Wash channel located approximately 1 mile upstream. As a result of upstream development activity and the subsequent cut-off of historic wash corridors acting to diffuse storm water runoff, flow patterns now entering the property have been concentrated to a single point in the northeast corner of the property. This concentration has impacted the ability of Camelot to develop the property. To mitigate this condition, an on-site primarily sub-grade floodwall will be installed to protect the developed area from inundation during extreme flood events. The floodwall will extend from the northeast to the southwest and is adjacent to the rears of lots 3 thru 22.

PRD Findings:

We believe the Planning Commission and City Council can make the following PRD Findings:

A. That the development proposed is in substantial harmony with the General Plan of the City of Scottsdale, and can be coordinated with existing and planned development of surrounding areas.

Response. At 1.25 units/acre, our proposed plan is in conformance with the General Plan (which allows 1-8 du/acre), is substantially below the density of the surrounding properties, and provides lots that are significantly larger than neighboring lots.

B. That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.

Response. The streets are suitable and adequate to serve the 50 lots and the anticipated traffic which will be generated thereby.

C. The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing will establish beyond a reasonable doubt that the planned residential development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities such as schools, playgrounds and parks, are adequate to serve the anticipated population.

Response. The subject site is a private gated neighborhood with no cut through traffic. This requested change to front yard setbacks will have no negative impact on any of the neighboring property owners since the requested PRD setbacks within Bacara are compatible with setbacks within neighboring properties and the rear setbacks within Bacara remain unchanged adjacent to any boundary with existing neighbors. By reducing the front yard setback, the impact on the neighboring properties improves by allowing for the opportunity to move the homes forward on the lots thus increasing the size of the rear yard and increasing the distance from the rear of the homes to the adjacent property owners bordering the site. Reducing the front yard setback will also benefit future residents of Camelot Reserve by providing the opportunity for additional architectural variety and a more diverse interior streetscape. Therefore, this development will constitute a residential environment of sustained desirability and stability and will be in harmony with the character of the surrounding area. Further, public facilities such as schools, playgrounds and parks are adequate to serve the anticipated population.

Building Heights:

City Staff has confirmed that the Hardship Exemption, due to FEMA flood plain regulations, granted on August 29, 2011 (Case # 1-HE-2011) will be extended to our case and plan, therefore building heights will be limited to a maximum of 30' measured from natural grade.

Native Plant Material Relocation:

Camelot intends to salvage and reuse as much of the native plant material that will be disturbed as possible. Native Resources International has prepared a native plant inventory of the site and a Native Plant Salvage Methodology report which describes in detail the procedures that will be used to salvage and relocate native plant materials. Copies of both items were previously provided to the City on July 31, 2012 as part of our initial Rezoning Application submittal. Camelot intends to reuse salvaged material where practical in the east, south and north buffer areas. We intend to see that any disturbed areas in the buffer areas are revegetated or replanted in a native desert theme and with a density of plant material at least similar to what was in those areas previously, with the exception of Tract H, located adjacent to lots 22-25, which will contain the "tot lot" and related amenities. Tract H will be landscaped in a more formal theme consistent with the amenity planned for that area.

Construction:

Site Development is projected to commence in the first quarter of 2013 and take approximately 6-9 months to complete. Homebuilding is expected to commence around the start of the 3rd or 4th quarter of 2013.

Bacara

Rezoning Application

Project Narrative Addendum

This document is intended to serve as an addendum and supplement to the Bacara Rezoning Application Project Narrative dated September 6, 2012. This addendum is being filed due to the fact that Camelot Homes is changing the site plan that has been previously submitted in response to neighborhood feedback regarding the location and alignment of the entry drive to the community off of Scottsdale Rd. at Alameda Rd.

On September 18th Camelot conducted a neighborhood meeting to update the neighbors on the status of their plan and rezoning request. This was a follow up meeting to a set of three meetings Camelot conducted in mid-June with neighbors within 750' of the site. At the September 18th meeting one individual inquired about the location of the entry drive and the reasoning behind moving it from the location shown on the previous 1 acre lot plan. An explanation was provided and that appeared to end the discussion.

On September 27th, Keith Neiderer forwarded to Camelot a letter he received from the Ladara Homeowners Association and on September 28th Keith forwarded an email he received from the Los Portones Homeowners Association, both raising concerns, among other things, with the location of the entry drive (Copies of the correspondence are attached). On September 28th Camelot contacted both parties requesting an opportunity to meet with the association representatives to discuss their concerns and on October 1st Camelot met onsite with the Pat Saulnier, president of the Ladara Homeowners Association and Roger Saulnier, the president of the Los Portones Homeowners Association. Pat and Roger indicated that one of their issues had already been resolved by Camelot's commitment to restrict homes on the southern boundary of the site to single story only, consistent with what Camelot's represented at all of its neighborhood meetings. Their remaining concern was the location of the entry drive, and in particular the fact that it extended further east on the Alameda alignment than the previous 1 acre lot plan. They indicated the new alignment affected 9 homes whereas the previous plan impacted only 4homes. After considering their concerns and reviewing the site plan with its civil engineer, on October 2nd Camelot agreed to move the entry to a location similar to that shown on the previous 1 acre lot plan.

The revised site plan reflecting this change is attached. The lot count remains unchanged at 50 lots. The lotting and street layouts remain unchanged except for the entry location and lotting along the southern boundary of the site.

AMENDED DEVELOPMENT STANDARDS FOR

BACARA

CASE NO. 9-ZN-2012

Modifications are shown in **BOLD CAPS** and Deletions by ~~strike-throughs~~

Sec. 5.400. (R1-10) SINGLE-FAMILY RESIDENTIAL DISTRICT.

Sec. 5.401. Purpose.

This district is intended to promote and preserve residential development. Lot size permits a higher density of population. Land use is composed chiefly of individual homes, together with required recreational, religious and educational facilities as the basic elements of a balanced neighborhood.

Sec. 5.402. Use Regulations.

- A. Permitted uses. Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:
 - 1. Any use permitted in the (R1-43) single-family residential district (see section 5.102A).
- B. Permitted uses by conditional use permit in the (R1-43) single-family residential district. (see section 5.102B).

Section 5.403. Approvals Required.

Prior to development of any municipal use or any use requiring a conditional use permit, Development Review Board approval shall be obtained as outlined in article I, section 1.900 hereof.

Section 5.404. Property Development Standards.

The following property development standards shall apply to all land and buildings in the R1-10 district:

- A. Lot Area.
 - 1. Each lot shall have a minimum area of not less than ten thousand (10,000) square feet.
 - 2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the passage of this ordinance, such lot may be used for any purpose permitted in this section.
- B. Lot Dimension.
 - 1. Width. All lots shall have a minimum width of eighty (80) feet.
- C. Density. There shall be no more than one (1) single-family unit on anyone (1) lot.
- D. Building Height. No building shall exceed thirty (30) feet in height, except as otherwise provided in article VII.
- E. Yards.

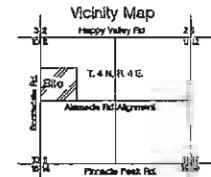
1. Front Yard.
 - a. There shall be a front yard having a depth of not less than ~~thirty (30) feet~~ **TWENTY (20) FEET TO FORWARD FACING GARAGES; TEN (10) FEET TO ALL OTHER ELEMENTS OF THE STRUCTURE.**
 - b. Where lots have a double frontage on two (2) streets, the required front yard of thirty (30) feet shall be provided on both streets.
 - c. Where a lot is located at the intersection of two (2) or more streets, there shall be a yard conforming to the front yard requirements on the street with the narrowest frontage and a yard of not less than fifteen (15) feet on the intersecting street.
Exception: On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings may be constructed in the yard facing the side street.
2. Side Yard. There shall be a side yard on each side of a building having an aggregate width of not less than seven (7) feet.
3. Rear Yard. There shall be a rear yard having a depth of not less than twenty-five (25) feet.
 - a. The main building or additions to the main building may extend into the required rear yard subject to the following requirements:
 - (1) The main building or additions to the main building shall be set back fifteen (15) feet from the rear property line.
 - (2) The main building or additions to the main building shall not occupy more than thirty (30) percent of the area between the rear setback line and the rear property line.
4. Other requirements and exceptions as specified in article VII.
- F. Distance Between Buildings.
 1. There shall not be less than ten (10) feet between an accessory building and the main building.
 2. The minimum distance between main buildings on adjacent lots shall not be less than fourteen (14) feet.
- G. Buildings, Walls, Fences and Landscaping. Walls, fences and hedges not to exceed eight (8) feet in height shall be permitted on the property line or within the required side or rear yard. Walls, fences and hedges shall not exceed three (3) feet in height on the front property line or within the required front yard, except as provided in article VII. The height of the wall or fence is measured from the inside of the enclosure. *Exception:* Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard facing the side street need only conform to the side yard requirements.
- H. Access. All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

BACARA

SW Quarter of the Northwest Quarter of Section 11, Township 4 North, Range 4 East
of the Gila and Salt River Base and Meridian, Maricopa County.



STATE LAND



ENGINEER

LD-Team, LLC
1426 N. 2nd Street
Suite 100
Phoenix, AZ 85004
Contact: Curtis Brown, P.E.
602-550-7457

DEVELOPER

Camelot Homes, Inc.
6607 N. Scottsdale Rd.
Suite H-100
Scottsdale, AZ 85250
Contact: Tom Kirk
480-307-4316

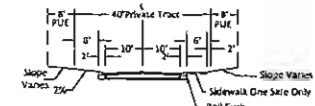
INDEX:

Sheet #1 - Site Plan
Sheet #2 - Site Cross Sections
Sheet #3 - Topography Map

ROW Dedications:

All ROW dedications will be made on the Final Plat.
Dedications include:
1. 100ft scenic corridor
2. 25ft additional Scottsdale Road ROW
3. 10.5 Additional Juan Tabo ROW
4. 25ft Non-motorized Public Access Easement adjacent to Scottsdale Road

TYPICAL STREET



Tract	Owner/Request	Description	Area
A	Private/NOA	Private Street, Limited to 100' wide	3.00
B	Private/NOA	Private Street, Limited to 100' wide	3.00
C	Private/NOA	Private Street, Limited to 100' wide	3.00
D	Private/NOA	Private Street, Limited to 100' wide	3.00
E	Private/NOA	Private Street, Limited to 100' wide	3.00
F	Private/NOA	Private Street, Limited to 100' wide	3.00
G	Private/NOA	Private Street, Limited to 100' wide	3.00
H	Private/NOA	Private Street, Limited to 100' wide	3.00
I	Private/NOA	Private Street, Limited to 100' wide	3.00
J	Private/NOA	Private Street, Limited to 100' wide	3.00
K	Private/NOA	Private Street, Limited to 100' wide	3.00
L	Private/NOA	Private Street, Limited to 100' wide	3.00
M	Private/NOA	Private Street, Limited to 100' wide	3.00
N	Private/NOA	Private Street, Limited to 100' wide	3.00
O	Private/NOA	Private Street, Limited to 100' wide	3.00
P	Private/NOA	Private Street, Limited to 100' wide	3.00
Q	Private/NOA	Private Street, Limited to 100' wide	3.00
R	Private/NOA	Private Street, Limited to 100' wide	3.00
S	Private/NOA	Private Street, Limited to 100' wide	3.00
T	Private/NOA	Private Street, Limited to 100' wide	3.00
U	Private/NOA	Private Street, Limited to 100' wide	3.00
V	Private/NOA	Private Street, Limited to 100' wide	3.00
W	Private/NOA	Private Street, Limited to 100' wide	3.00
X	Private/NOA	Private Street, Limited to 100' wide	3.00
Y	Private/NOA	Private Street, Limited to 100' wide	3.00
Z	Private/NOA	Private Street, Limited to 100' wide	3.00

9-ZN-2012

10/2/2012



Date: 7/25/12
Project: 13CH100
File: 13CH100
Scale: 1"=100'
SHEET
1 OF 3

Additional Information for:

Bacara

Case: 9-ZN-2012

1. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
 - a. wall design,
 - b. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - c. scenic corridors and buffered parkways,
 - d. improvement plans for common open space, common buildings and/or walls, and amenities such as ramadas, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included).
 - e. major stormwater management systems,
 - f. Vista Corridor watercourses (all watercourses with a 100 year flow of 750 cfs or greater),
 - g. walls adjacent to Vista Corridors and NAOS tracts and corridors,
2. DRAINAGE.
 - a. With the final plat submittal, the developer shall dedicate a drainage easement to the City of Scottsdale over the proposed storm water detention basins, over the future culvert improvements under Scottsdale Road and over Natural Area Open Space (NAOS) areas in accordance with the preliminary drainage report.
 - b. Submit a final drainage report that demonstrates consistency with the DSPM and the case drainage report accepted in concept by the Director, or designee, of the Stormwater Management Division of the Municipal Services Department.
 - c. Prior to the issuance of a building permit, the developer shall design the proposed floodwall to account for scour and also be structurally designed to account for loads associated with building on the lot and whether a setback is needed.
 - d. Prior to the issuance of a building permit, the developer shall contribute 25 percent of the costs associated with constructing a future culvert under Scottsdale Road utilizing the design flow identified in the preliminary case drainage report. These costs include a design for proper alignment, ultimate 6-lane arterial cross section, raising the road, and any other drop structures and channel improvements that may be needed.
3. BASIS OF DESIGN REPORT (WATER):
 - a. The Basis of Design Report (Water) shall be reviewed and accepted prior to submittal of final improvement plans to the City of Scottsdale.
4. BASIS OF DESIGN REPORT (WASTEWATER):

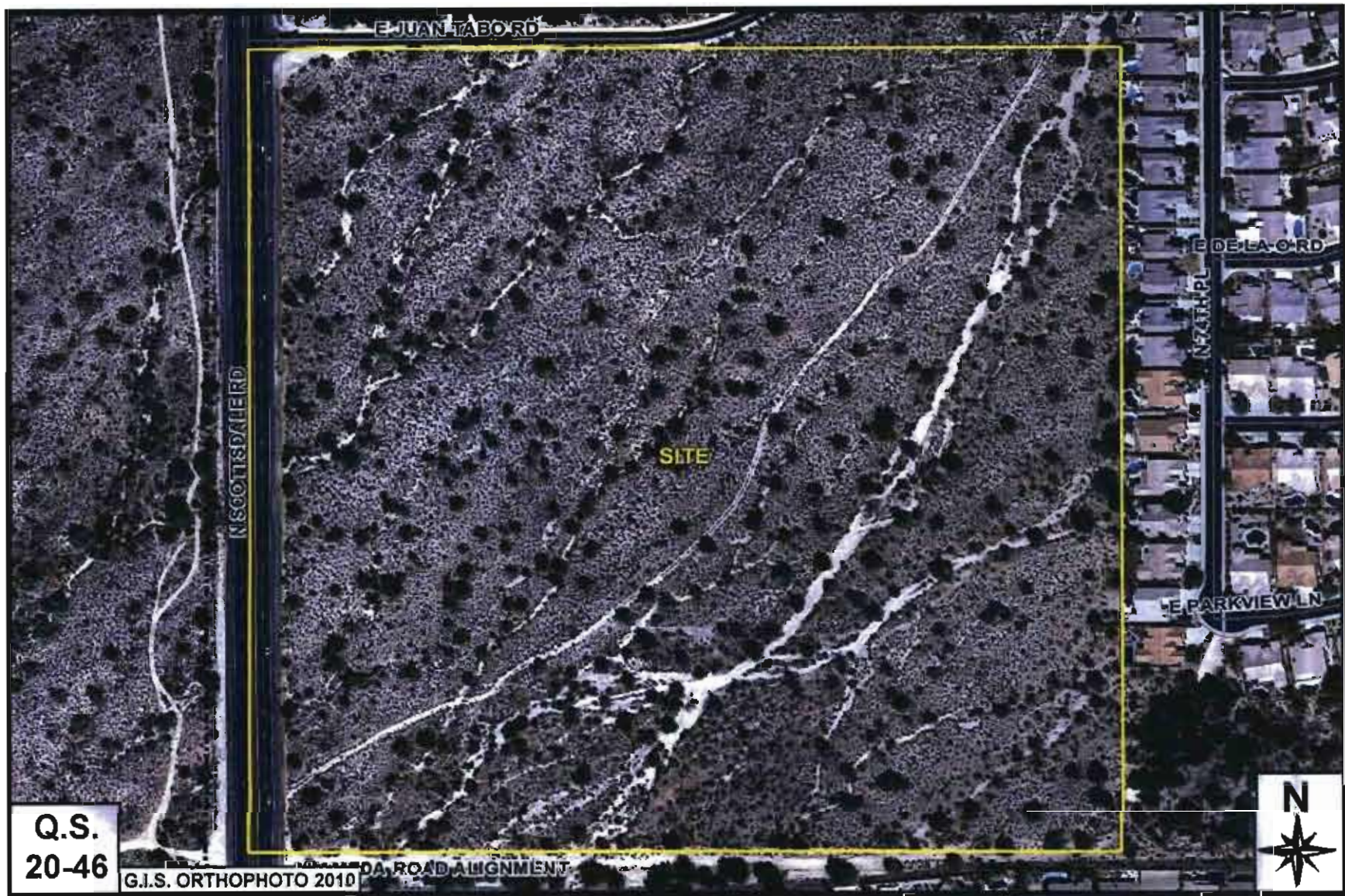
- a. The Basis of Design Report (WASTEWATER) shall be reviewed and accepted prior to submittal of final improvement plans to the City of Scottsdale.
 - b. The owner shall dedicate a 10 foot wide sewer easement along the south property line for the maintenance of the existing sewer line located east of the proposed drive.
5. EASEMENTS.
 - a. EASEMENTS DEDICATED BY PLAT. The owner shall dedicate to the city on the final plat, all easements necessary to serve the site, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
 - b. EASEMENTS CONVEYED BY SEPARATE INSTRUMENT. Before any building permit is issued for the site, each easement conveyed to the city separate from a final plat shall be conveyed by an instrument or map of dedication subject to city staff approval, and accompanied by a title policy in favor of the city, in conformance with the Design Standards and Policies Manual.
3. MAINTENANCE AGREEMENT. Prior to the final improvement plan approval, the owner shall submit a copy of recorded Maintenance Agreement and CC&R stating that the owner shall be responsible for the maintenance of the portion of the entry drive and the median, located in the public right of way.
4. EMERGENCY AND SERVICE VEHICLE ACCESS EASEMENT. Before any building permit is issued for the site, the owner shall dedicate to the city, an Emergency and Service Vehicle Access Easement over the internal street tract.
5. CONSTRUCTION COMPLETED. Before any CERTIFICATE OF OCCUPANCY is issued for the site, the owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations, in conformance with the Design Standards and Policies Manual and other applicable standards.
6. RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE. The developer shall be responsible for all improvements associated with the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning does not and shall not commit the city to provide any of these improvements.
7. FEES. The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.



Bacara

9-ZN-2012

ATTACHMENT #4



Bacara

9-ZN-2012

ATTACHMENT #4A

Existing General Plan Land Use Map



9-ZN-2012

ATTACHMENT #5

Bacara

September 18, 2012

Neighborhood Meeting Summary

On August 29th letters were sent to over 400 neighboring property owners or interested parties inviting them to an informational meeting on September 18th at 6:30pm at the Appaloosa Library to provide an update on our plan for development and our rezoning application. A total of 17 people attended, representing 15 households. We presented the attached power point presentation, which was an identical presentation to that made at three previous meetings conducted in mid-June, updated for a change in the lot count from 51 lots to 50 lots and very minor changes in the lot configuration as a result of the lot loss.

Interest from the audience centered on:

1. the size and location of the buffer areas on all four sides of the project – we explained there was a 50' buffer on the east, a 20' buffer on the north, a 30' buffer on the south, plus the 30'+ additional open space/drainage that existed to the south of the our property line.
2. the nature of the deveg/reveg that is likely to occur and the meaning of the colored tagging that has occurred – We explained that wherever we can we will do our best to avoid disturbance however there will be mass grading and deveg of materials in the lotted areas, that we don't intend to disturb anything in the large open space on the west side of the property except for a) the retention area located in the southwest corner, b) the waterline easement area to the north, c) the side walk and path areas running along the Scottsdale Rd frontage and d) at some time in the future the drainage improve area located in middle of the open space on the west. We said we would follow up by email to explain the color coding of the tagged plant material.
3. the access to the site and whether there would be any connection to any of the surrounding neighborhoods – we explained the project would have a gated entrance coming off the Alameda Rd. alignment on the south and that would be no connection to Juan Tabo or any other part of the project to any of the adjoining neighborhoods and that there no plans for any such connections in the future.
4. What was the planned type of fencing (view vs. solid) along the perimeter and whether we intended to construct perimeter fencing all at once or as the lots are built on – we explained that until the lots are graded and we can understand the view, the elevation and the true lot orientation better we cannot commit to what the fence style will be but explained that more than likely there will be view fencing placed on most of the

perimeter lots. We also indicated that we haven't decided when all fencing will be constructed.

5. Whether we would be selling 2-story plans – we indicated we will be offering 2 story plans but that our experience in the current market was predominately single story demand at the rate of 90/10 single story vs. 2-story. We did confirm again that we would be restricting 11 lots on the east and south perimeter (lots 22, 23, 42-50) to single story only.

The meeting lasted approximately 1 hour and 15 minutes. In the end I believe that all in attendance left with their questions answered. Two people complimented us on our presentation and were vocally supportive of our plan. One woman who resides on lot 43 of Pinnacle Ridge I left unhappy at the prospect of having to look into the back yard of homes in her view corridor (lots 18 & 19) and the possibility of 2 story homes on those lots. While we understand the premise of her concern, her lot is over 250 feet from these lots and we feel her concerns are not properly warranted.

Camelot Homes

September 18, 2012

[illegible]

Bacara

Citizen Review Report

On June 4th we mailed a total of 338 letters to property owners within 750' of the subject site. This included primarily neighboring residents but also included homeowner associations as well representing common area tracts within the 750' area. We conducted 3 separate neighborhood meetings, one on June 14th for property owners to the south, one on June 18th for property owners to the north and one on June 20th for property owners to the east. The meetings were held in the Appaloosa library located at 7377 E. Silverstone Drive, approximately ½ mile from the subject site. Copies of the invitation letters, notification list for all 3 meetings and a map showing the 750' notification area are all attached.

At total of 2 people attended the June 14th meeting and the meeting lasted approximately 35 minutes. The couple in attendance liked our plan, was interested in understanding the distances between their home on the southern boundary and the planned lots on the southern end of the subject property. We did not receive any negative feedback.

A total of 7 people attended the June 18th meeting and the meeting lasted approximately 40 minutes. Comments to our plan and presentation were positive with several in attendance indicating they preferred our plan to the previous 1 acre plan presented last fall.

A total of 6 people attended the June 20th meeting and the meeting lasted approximately 40 minutes. Comments to our plan and presentation were positive. Several in attendance indicated they like our plan because of the added open space buffer on the east and south perimeter and the fact that our entrance was on Alameda and would not be introducing any additional traffic onto Juan Tabo. One person was interested in who they could send a letter of support to.

A copy of the power point presentation used for all 3 meetings is attached.

Following the June meetings we received only one email from an individual who was out of town when the meetings were held and wanted information about our proposed plan. A copy of that email correspondence is attached.

On August 29, 2012 we mailed a notice to the same 338 neighboring property owners within 750' of the subject site as well as 40 additional interested parties (list provided by the City) inviting them to an informational meeting to be held on September 18th to update all on our plan. A separate report will be provided to the City once that meeting is held. A copy of the invitation letter and the address list used for the mailing are attached. As of September 6, we have received only call phone call from a resident inquiring if he needed to make a reservation to attend the September 18th meeting.

South
6/14/12 Thursday

9-ZN-2012
1st: 7/31/12

(NORTH)

Camelot Homes

[illegible]

9-ZN-2012
1st: 7/31/12

6/20/12 East

9-ZN-2012
1st: 7/31/12

Lebovitz, Brandon

From: cmvicari@cox.net
Sent: Wednesday, August 22, 2012 9:05 AM
To: Projectinput; Lebovitz, Brandon
Subject: Case Number 9-ZN-2012

Currently, there is one acre zoning for this property. The original proposal made to the community was for 33 one story houses. My wife and I do not like the proposal to change the zoning and increase the impact to over 50 housing lots. That would mean less than one acre per house, as is currently zoned.

John Vicari
480 342 7074
cmvicari@cox.net

This message was feedback from the following web page:
<http://www.scottsdaleaz.gov/projects/myneighborhood>
8/22/2012 9:04:40 AM

68.109.143.121 Mozilla/5.0 (compatible; MSIE 9.0; Windows NT 6.1; WOW64;
Trident/5.0) sessionID: 0

Niederer, Keith

From: dkrosby@cox.net
Sent: Tuesday, September 18, 2012 4:42 PM
To: Niederer, Keith
Subject: Bacara Zoneing Change



Unable to attend meeting this evening. I DO NOT support the rezoning request. The original design for approx. 43 home was much better laid out and better utilized the property. This new increases the density, jams them all together and bulks the NAOS on the west side. I do not support this revlsion. I have lived In Pinnacle Reserve East for 14 years and am very familiar with this area. Thanks for your consideration. DAVID CROSBY 7668 E Whispering Wind Dr Scottsdale

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Niederer, Keith

From: Ken Reiss [ken@unitedmetro.com]
Sent: Sunday, September 02, 2012 7:36 PM
To: Niederer, Keith
Subject: RE: Case # 402-PA-2012/9-ZN-2012

Thanks Keith -

Looking at the map you sent tells me that nothing could be built in that area due to its narrow size and the easements.

Ken

From: Niederer, Keith [mailto:KNiederer@Scottsdaleaz.gov]
Sent: Sun 9/2/2012 1:01 PM
To: Ken Reiss
Subject: RE: Case # 402-PA-2012/9-ZN-2012

Mr. Reiss,

Thank you for the e-mail. The first 30' north of your lot is public right-of-way. I'm not aware of any plans to construct a street there, but the Transportation Department may have plans to build a public trail or path there. You may want to contact Reed Kempton at 480-312-7630 if you have any questions about future path or trail alignments.

North of the right-of-way is a Natural Area Open Space (NAOS) tract for the Pinnacle Reserve subdivision with R1-10 ESL zoning. There is also a 115' wide electrical easement over that property that has been in place since 1970.

Please see attached map and let me know if you have any additional questions.

Thanks, Keith

From: Ken Reiss [mailto:ken@unitedmetro.com]
Sent: Saturday, September 01, 2012 1:24 PM
To: Niederer, Keith
Subject: Case # 402-PA-2012/9-ZN-2012

Keith;

I own a home at 7444 East Sand Hills Road which is somewhat adjacent to the site that is under this re-zoning case.

I thought that the land that Camelot Homes is contemplating purchasing was designated as open space and therefore would never be developed. I guess I was wrong.

This brings me to my question - is the land to the east of this site (behind my house) designated as open space (ie. not ever going to be developed)?

Thanks,
Ken Reiss

Tom Kirk

From: Tom Kirk
Sent: Thursday, June 28, 2012 4:48 PM
To: 'Imdebbares'
Subject: RE: 40 Acres at Scottsdale Rd and Juan Tabo

We will be subject to a height limit that could vary slightly (25' – 28') based on where the lot is on the site. For the most part this height limit will greatly limit the number of 2 story homes that can be built.

Tom

Thomas Kirk | Chief Operating Officer | Camelot Homes, Inc.
6607 N. Scottsdale Rd., Suite H-100 | Scottsdale, AZ 85250
Tel 480-367-4316 | Fax 480-367-4350 | Cell 602-228-7997 | www.camelothomes.com



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From: Imdebbares [mailto:imdebbares@aol.com]
Sent: Thursday, June 28, 2012 4:10 PM
To: Tom Kirk
Subject: Re: 40 Acres at Scottsdale Rd and Juan Tabo

Thanks Tom. 1 more: Are you building 1 or 2 story homes? Deb

-----Original Message-----

From: Tom Kirk <tkirk@CAMELOTHOMES.com>
To: Imdebbares <imdebbares@aol.com>
Sent: Thu, Jun 28, 2012 4:40 pm
Subject: RE: 40 Acres at Scottsdale Rd and Juan Tabo

We have not acquired the property yet, it is in escrow. We do not have approved plans, we are working on our first submittal for the preliminary plat and a formal submittal for the rezoning of the property from R1-43 ESL to R1-10 ESL PRD to accommodate our proposed lot size.

Tom

Thomas Kirk | Chief Operating Officer | Camelot Homes, Inc.
6607 N. Scottsdale Rd., Suite H-100 | Scottsdale, AZ 85250
Tel 480-367-4316 | Fax 480-367-4350 | Cell 602-228-7997 | www.camelothomes.com



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sender by return e-mail, and delete the original message and all copies from your system and promptly destroy any copies made of this electronic message. Thank you.

From: Imdebbarnes [mailto:imdebbarnes@aol.com]
Sent: Thursday, June 28, 2012 3:34 PM
To: Tom Kirk
Subject: Re: 40 Acres at Scottsdale Rd and Juan Tabo

Tom, thanks for getting back with me. I will not be going to Scottsdale for awhile. Not sure when yet. But I think you answered my questions that I have for now except for two. Have you purchased the property and have you got the plans approved yet? Thanks so much for the info. Deb Barnes

-----Original Message-----

From: Tom Kirk <tkirk@CAMELOTHOMES.com>
To: Imdebbarnes <imdebbarnes@aol.com>
Sent: Thu, Jun 28, 2012 3:24 pm
Subject: RE: 40 Acres at Scottsdale Rd and Juan Tabo

Ms. Barnes

Thank you for your email. We did not take minutes of the meeting on the 20th however I would be happy to come to your home if you're still in Scottsdale to review our preliminary plans. Our plan calls for 51 80' x 140' lots on 40 acres for a density of 1.3 units/acre. The density of the surrounding neighborhoods is substantially higher ranging from 2.8 units/acre to 3.8 units/acre.

Our community will be gated and provides for access in and out along the south boundary on the Alameda Road alignment; there will be no access to or thru any of the surrounding neighborhoods. With your home is along the eastern boundary of the site, you will have a 50' wide open space buffer from the back of our lots to your rear fence line. This is a significant improvement from the previous plan presented last fall which contained no buffer, where the lots directly abutted the lots to the east.

We plan to offer some of the product currently offered at our Windrose Estate project at 94th and Sweetwater and we plan to add brand new plans. We expect the base sales pricing to range from the high \$500's to low \$700's.

Please let me know if you're available to get together.

Kind regards

Tom

Thomas Kirk | Chief Operating Officer | Camelot Homes, Inc.
6607 N. Scottsdale Rd., Suite H-100 | Scottsdale, AZ 85250
Tel 480-367-4316 | Fax 480-367-4350 | Cell 602-228-7997 | www.camelothomes.com

From: Imdebbarnes [mailto:imdebbarnes@aol.com]
Sent: Monday, June 25, 2012 8:24 PM
To: Tom Kirk
Subject: 40 Acres at Scottsdale Rd and Juan Tabo

Dear Mr. Kirk, I received your letter dated June 4, 2012 informing us of a meeting on June 20th about your decision to buy the above referenced 40 acres. I live in Wyoming and just got back on June 18th from Scottsdale. I did not receive the letter until I got back. So I did not get to go to meeting. I was wondering if you took minutes of meeting and if I could get a copy?

I live on N. 74th place and my back yard runs along the back of this property. I am very concerned about what kind of community you are planning on building at this location? I did look at your web site and found that you build different levels of communities. Which are you planning on building? Do you have a Development Plan and layout? How many houses?

If you could give me more information I sure would appreciate it. You can contact me through e-mail, phones-(307) 745-5571 (H) or (307) 760-1986 (C) or mail-PO Box 925, Laramie, WY 82073

LADERA HOMEOWNERS ASSOCIATION

PO BOX 62073

PHOENIX, AZ 85082-2073

(602) 433-0331

September 25, 2012

City of Scottsdale Planning Department

7447 E. Indian School Rd, Suite 105

Scottsdale, AZ 85251

RE: Bacara Development – Scottsdale Road and Alameda

To Whom it May Concern,

The Ladera Homeowner's Association met today and discussed the Bacara development going in just north of our community Los Portones. The Board and our homeowners are very upset about the City considering allowing higher density and more street access along Alameda right behind our homes and view fencing. They are also concerned about any two story homes being permitted. The Board of Directors have given Roger Saulnier the approval to speak and represent the Ladera Homeowners Association with regards to this issue and represent all of the owners in our community.

We appreciate your time in listening and considering our concerns moving forward when making decisions with this project.

Sincerely,

For the Ladera Board of Directors



Mike Roberson

Community Manager, CMCA, AMS, CAAMi

Mark & Sarah King
7402 E Sand Hills Rd
Scottsdale, AZ 85255

Attn: Keith Niederer
City of Scottsdale Planning
7447 E Indian School Rd Suite 105
Scottsdale, AZ 85251

Dear Mr. Niederer,

We are writing about Case Number 9-ZN-2012.

The Case Name is Bacara and is located on the SEC of Juan Tabo & Scottsdale Rd.

We own and live in the house at 7402 E Sand Hills Rd in Talará (Los Portones) and would be the house just below the southeast corner of this project. Due to how the project is positioned, our house would actually be the very closest home to this new subdivision.

After attending two meetings and talking to the Camelot Homes officers, we feel that this project would be a realistic and fair use of the designated area. We are the original owners of our home, which was built in 1993. We knew that even though the original owner of the property north of us desired to keep it an open desert area, that in time, with her passing, it would probably be parceled and modified. Compared to the tight density that is experienced in other subdivisions, this 50 home project seems well considered and a reasonable use that would impact us in a measured way. The values of the homes would benefit our area and the expected use of the Alameda Rd entrance and exit would not cause traffic or noise problems.

Thank you for considering this matter and we hope this project can move forward. If you have any questions or issues, please call me at 480-236-1031.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark King', with a long horizontal flourish extending to the right.

Mark King

Tom Kirk

From: Niederer, Keith <KNiederer@Scottsdaleaz.gov>
Sent: Thursday, September 27, 2012 5:44 PM
To: Tom Kirk
Subject: FW: Bacara Site Plan
Attachments: image001.png; image002.png

Tom,

Please see below e-mail that describes the concerns of Los Portones. The main concern appears to be that the entrance road extends further east than the previous Preliminary Plat. Your thoughts?

Keith

From: Roger Saulnier [mailto:roger.saulnier@hotmail.com]
Sent: Thursday, September 27, 2012 5:27 PM
To: Niederer, Keith
Subject: RE: Bacara Site Plan

Thank you, Keith, for the site plan. I was able to attend the meeting at the library after all and we are glad that they will not be constructing 2 story homes in those areas, however we were dismayed to see that the entrance on Alameda has been changed from the previous owner's plan. It is now further east. That change would cause additional traffic, noise and lights which would adversely impact at least 10 homes that back up to this project. Using Juan Tabo Rd for an entrance, which is already there, would have made more sense. Not only because it is there, but also because the close proximity of Los Portones Dr. to Alameda Rd. will pose traffic and safety problems. We were satisfied, although not thrilled, with the original plan of 24 homes and a SHORT entrance which posed very little impact on the existing homes of Los Portones. Now the new Builder wants to double the # of homes and extend the entrance road. There is NO reason why Mr Hancock could not put the entrance back to the original location. We realize that construction of some sort will be there, and we do not want to deprive an owner of his right to build. However, consideration must be given to the existing homeowners as well. We are asking the Planning Dept. to review this plan and meet us half way and re-locate the entrance to the original site.

I would appreciate it if you would forward this to all concerned parties. Thank you.
Pat Saulnier, President
Los Portones H.O.A.

From: KNiederer@Scottsdaleaz.gov
To: roger.saulnier@hotmail.com
Subject: Bacara Site Plan
Date: Thu, 27 Sep 2012 21:59:24 +0000

Mr. & Mrs. Saulnier,

I apologize for the delay in sending you the attached site plan for the proposed Bacara subdivision.

Camelot Homes agreed to a stipulation limiting homes to single story on lots 22, 23 and lots 42 through 50.

The Planning Commission hearing for this rezoning application is scheduled for Wednesday October 10 at 5:00PM. The Planning Commission meets in the Kiva City Hall, 3939 N. Drinkwater Blvd.

Please let me know if you have any questions.

LADERA HOMEOWNERS ASSOCIATION

PO BOX 62073

PHOENIX, AZ 85082-2073

(602) 433-0331

September 25, 2012

City of Scottsdale Planning Department

Attn: Keith Niederer

7447 E. Indian School Rd, Suite 105

Scottsdale, AZ 85251

RE: Bacara Development – Scottsdale Road and Alameda

To Whom It May Concern,

The Ladera Homeowner's Association has reviewed the updated plan of development for the parcel of property to the north of Ladera HOA. With the stipulation that no homes that border their community will be permitted to be two story homes and with the changes made to the entrance (not having the road travel along Alameda) as it was in the original plan, the Board will not oppose the project of 50 homes and will endorse it. The Board would also appreciate an update from the City with regards to the plans of the rest of Alameda and right of way moving forward. Their request is that this remains untouched and in the current condition that it is now.

We appreciate your time in listening and considering our concerns moving forward when making decisions with this project.

Sincerely,

For the Ladera Board of Directors



Mike Roberson

Community Manager, CMCA, AMS, CAAM

Kurt Rouse
24316 N 74th Place
Scottsdale, AZ
(480) 515-4363
kurtshomeoffice@aol.com
Pinnacle Reserve East Neighbor: Lot 213

October 4, 2012

Re: Bacara Case # 402-PA-2012 / 9-ZN-2012

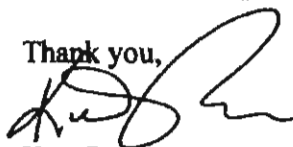
Dear Keith,

Would you please address these neighborhood concerns regarding the proposed rezoning and development on the southeast corner of Scottsdale Rd. and E. Juan Tabo Rd.? These issues were discussed with the developer at the neighborhood information meeting on 9/18/12. The developer supported these issues and I am requesting that these items be required with the application.

1. No two story homes shall be constructed on lots 22, 23, 42, 43, 44, 45, 46, 47, 48, 49, 50. (Site exhibit A: Single story homes only on these lots)
2. The developer shall not remove any saguaro cactus within the planned 50' open space buffer along the entire eastern boundary. (The saguaro cactus located between lot 43 and the Pinnacle Reserve II (lot 213) property shall not be damaged or removed. Picture B)
3. The developer will relocate and install salvaged saguaro cactus, cacti, and native plants behind lots 42, 43, and 44 in the buffer area. The native plant relocation shall provide a natural screen behind lots 42, 43, and 44 to reduce the negative impact on rear facing neighborhood properties. These three lots are planned to install with open view fence that will view directly into the Pinnacle Reserve II property back yards. The existing neighboring properties to the east are existing open-view fence along this corridor. (Site exhibit C & D)
4. The developer shall construct the entire perimeter block wall along the South and East property immediately after grading the property and prior to vertical construction. This measure will provide the Pinnacle Reserve II neighborhood with additional dust control measures and to reduce the negative impact of construction activities. This fence shall also screen the Pinnacle Reserve II open-view fence view directly from the construction debris, trash, and noise. (Site exhibit E)

I have discussed these issues with many of the neighbors and these are items that we understand to be agreed on from the developer with the application of the property rezoning request. You may contact me by phone at (602) 376-1313 and by email at kurtshomeoffice@aol.com if you need to reach me. Unfortunately, I will be out of town for the scheduled public comment at the Planning Commission hearing on 10/10/12.

Thank you,



Kurt Rouse

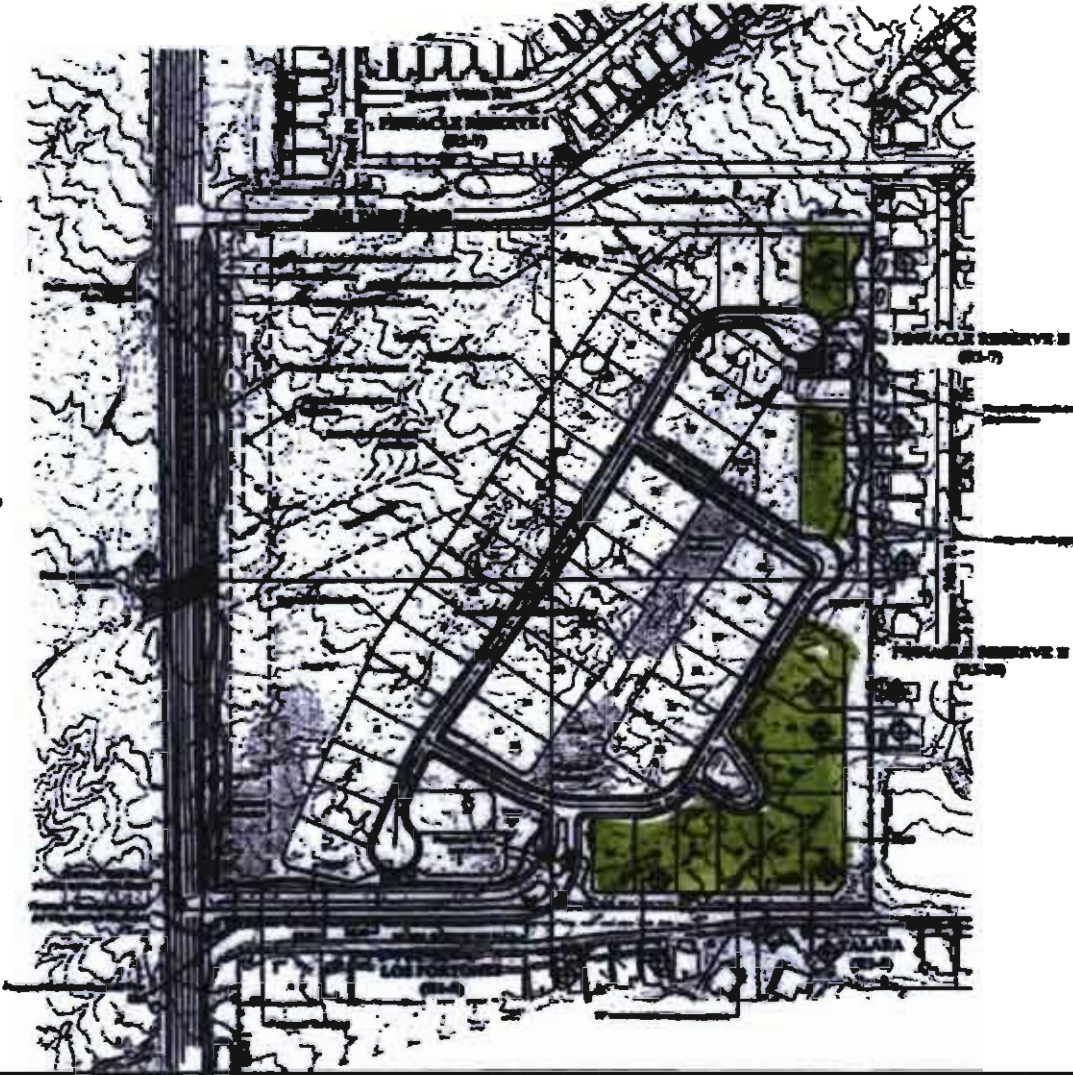
Site Exhibit **A**
 No 2 story Homes

BACARA

of the City of San Jose, California, County of Santa Clara
 of the City and County of San Jose, California, County of Santa Clara



SECC-LAND



ENGINEER
 J. J. J. J.
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 J. J. J. J.
 J. J. J. J.
 J. J. J. J.

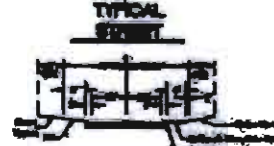
DEVELOPER
 J. J. J. J.
 J. J. J. J.
 J. J. J. J.
 J. J. J. J.
 J. J. J. J.
 J. J. J. J.

INDEX

Sheet 1 - Site Plan
 Sheet 2 - Site Plan
 Sheet 3 - Site Plan

HOW TO READ THIS PLAN

1. All lots are shown.
2. All lots are shown.
3. All lots are shown.
4. All lots are shown.
5. All lots are shown.



1. All lots are shown.



BACARA

SITE PLAN

OLD-TEAM

LANDMARK POWER

0-2N-2012
 ZMR: 04/7/12

15-7205

Site Exhibit B



Existing Saguaro Cactus behind proposed lot 43



Current view from Pinnacle Reserve II – Lot 213 of the buffer area.

SITE Exhibit C

PLANT SCHEDULE

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- 100. AGAVE

KEY MAP



THIS SHEET

42

43

44

EXISTING SAGUARO CACTUS



BACARA

Conceptual Landscape and Wall Plan

SHEET 4 OF 6



DATE

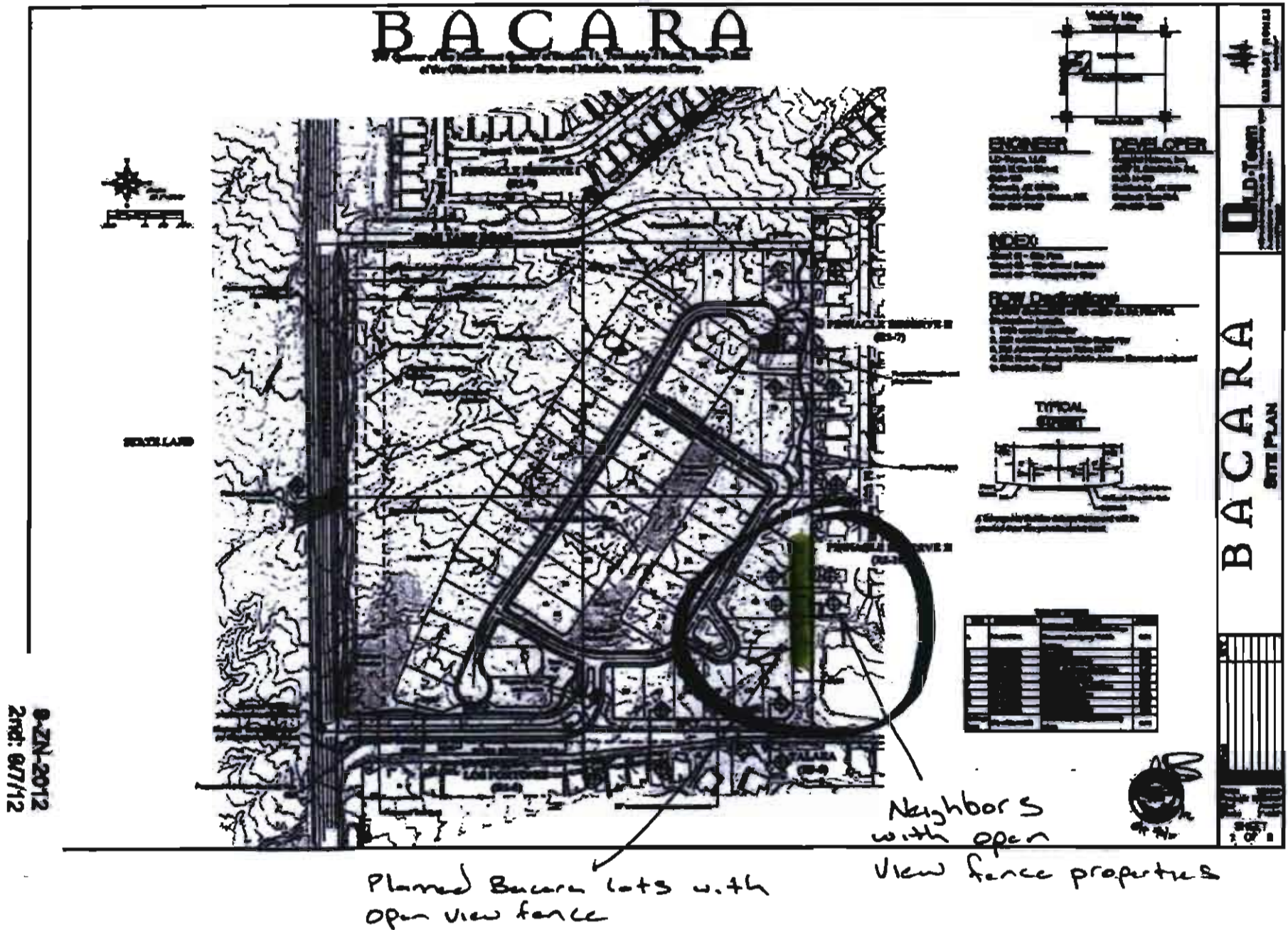
SCALE

Keep existing Saguaro Cactus

0-24-2012
2nd: 07/12

SITE Exhibit ⑤

Install salvaged saguaro & native plants to screen



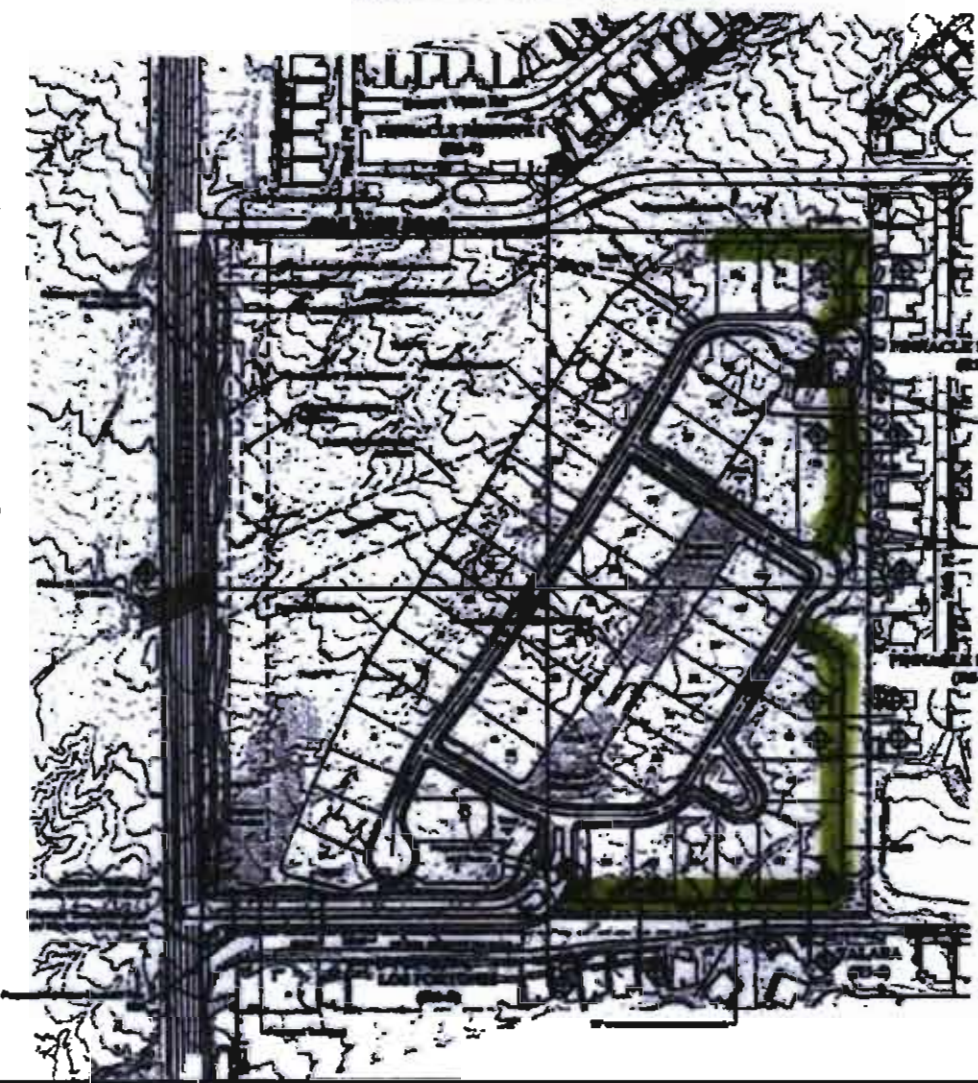
Site Exhibit (E)

Perimeter fence - Dust Control, Block Constr

9-2N-2012
2nd: 8/7/12

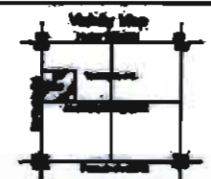


SEITE LAND



BACARA

City of the National Center of BACARA, Inc. Planning, Design, Construction
of the City and State River Basin and Irrigation, Management Center.

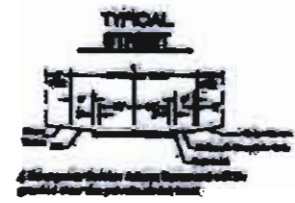


ENGINEER
L.P. Smith, Inc.
1000 N. 1st St.
Suite 100
Phoenix, AZ 85004
Phone: 602.258.1111
Fax: 602.258.1112

DEVELOPER
BACARA, Inc.
1000 N. 1st St.
Suite 100
Phoenix, AZ 85004
Phone: 602.258.1111
Fax: 602.258.1112

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ROW DEDICATION
Dedication to the State of Arizona
1. The entire area
2. All within the boundary
3. All within the boundary
4. All within the boundary
5. All within the boundary



BACARA

SITE PLAN

Old Town

CLARKE STREET

Niederer, Keith

From: SueAnne Suffolk [suffolks@cox.net]
Sent: Sunday, October 07, 2012 8:24 PM
To: Niederer, Keith
Cc: Kurt Roush; Christopher Suffolk
Subject: Fwd: Rezoning Case: 9-ZN-2012
Attachments: Rouse Letter for Zoning Case 9-ZN-2012.pdf

Mr. Kniederer,

My wife and I have discussed the attached with Mr. Rouse and with this email would like to express our agreement/alignment. We hope you will consider our views.

Chris and SueAnne Suffolk
24328 N 74th place

From: Rouse, Kurt MAIL 3723
Sent: Friday, October 05, 2012 4:17 PM
To: Keith Neiderer (kniederer@scottsdaleaz.gov)
Cc: Kurt Rouse (kurtshomeoffice@aol.com)
Subject: Rezoning Case: 9-ZN-2012

Keith,

Please see attached document.

Thank you,

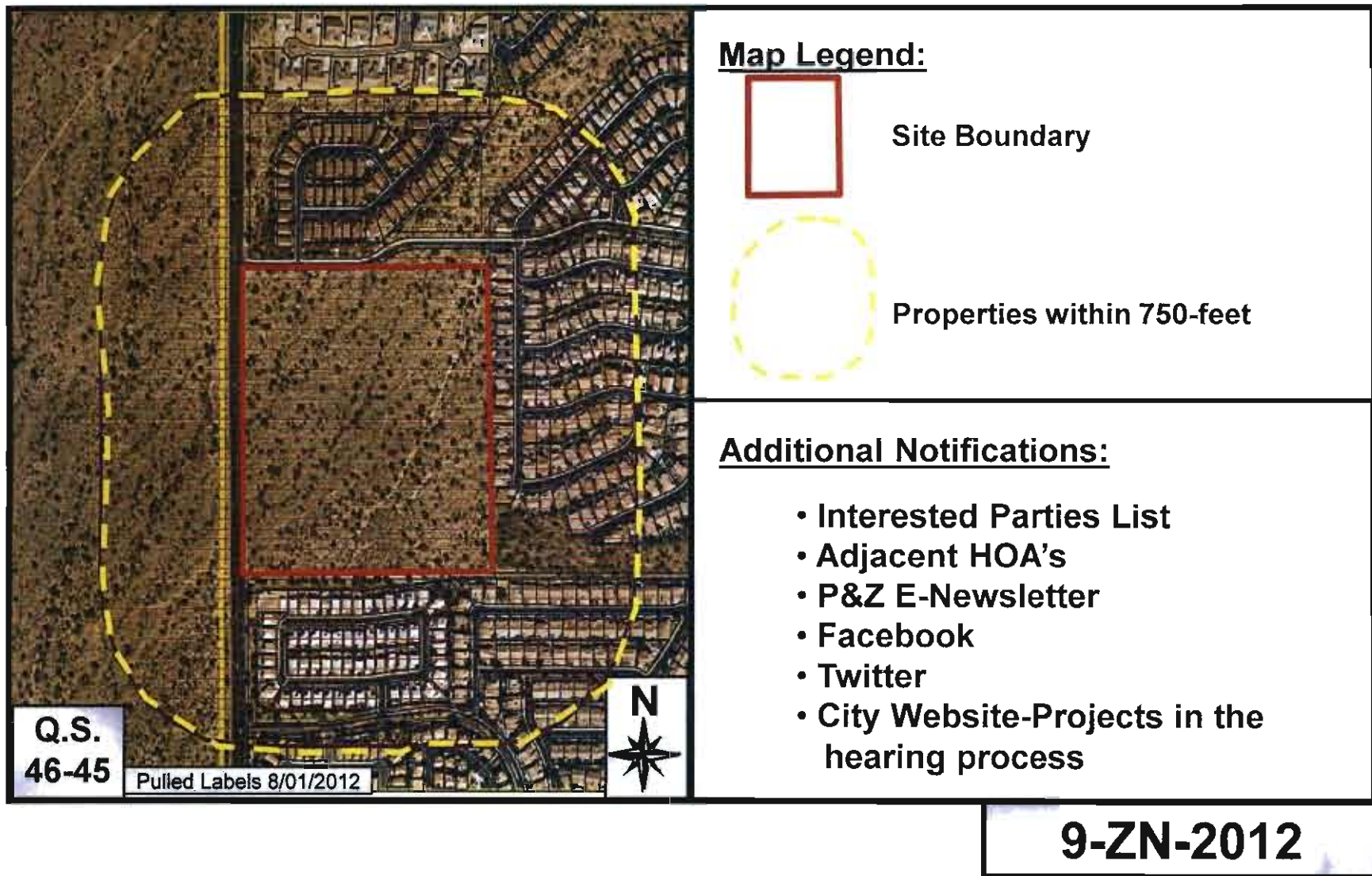
Kurt Rouse

24316 N 74th Place

Scottsdale, AZ 85255

(602) 376-1313

City Notifications – Mailing List Selection Map



Baraca

ATTACHMENT #8



**SCOTTSDALE PLANNING COMMISSION
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA**

WEDNESDAY, OCTOBER 10, 2012

DRAFT SUMMARIZED MEETING MINUTES*

PRESENT: Michael D'Andrea, Chairman
Ed Grant, Vice-Chair
Michael Edwards, Commissioner
Jay Petkunas, Commissioner
Matt Cody, Commissioner
David Brantner, Commissioner

ABSENT: Erik Filsinger, Commissioner

STAFF: Tim Curtis
Sherry Scott
Mary Vandevord
Erin Perreault
Keith Niederer
Don Hadder
Dan Symer
Brandon Lebovitz

CALL TO ORDER

Chair D'Andrea called the regular session of the Scottsdale Planning Commission to order at 5:00 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

MINUTES REVIEW AND APPROVAL

1. Approval of September 12, 2012 Remote Hearing Minutes.
2. Approval of September 19, 2012 Off Site Meeting Minutes including Study Session.

COMMISSIONER BRANTNER MOVED TO APPROVE THE SEPTEMBER 12, 2012, REMOTE HEARING MINUTES AND THE SEPTEMBER 19, 2012, OFF SITE MEETING

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission website at: www.scottsdaleaz.gov/boards/PC.asp

MINUTES INCLUDING STUDY SESSION. SECONDED BY COMMISSIONER CODY, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

EXPEDITED AGENDA

3. 16-UP-2012 (Eldorado Scottsdale)
COMMISSIONER PETKUNAS MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL OF CASE 16-UP-2012, PER THE STAFF RECOMMENDED STIPULATIONS, BASED UPON THE FINDING THAT THE CONDITIONAL USE PERMIT CRITERIA HAVE BEEN MET. SECONDED BY COMMISSIONER BRANTNER, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

REGULAR AGENDA

4. 4-GP-2012 (Grayhawk Resort and Golf Course)
VICE-CHAIR GRANT MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL OF CASE 4-GP-2012, A MAJOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATIONS FROM COMMERCIAL AND DEVELOPED OPEN SPACE TO RESORTS/TOURISM AND RECONFIGURE THE REMAINING LAND USE DESIGNATIONS FROM RESORTS/TOURISM TO DEVELOPED OPEN SPACE AND FROM DEVELOPED OPEN SPACE TO RESORTS/TOURISM. SECONDED BY COMMISSIONER CODY, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).
5. 46-ZN-1990#18 (Grayhawk Resort and Golf Course)
VICE-CHAIR GRANT MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL OF CASE 46-ZN-1990#18, PER THE STAFF RECOMMENDED STIPULATIONS, AFTER DETERMINING THAT THE PLANNED COMMUNITY DISTRICT FINDINGS HAVE BEEN MET, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN. SECONDED BY COMMISSIONER CODY, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).
6. 32-UP-1994#4 (Grayhawk Resort and Golf Course)
VICE-CHAIR GRANT MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL OF CASE 32-UP-1994#4, PER THE STAFF RECOMMENDED STIPULATIONS, BASED UPON THE FINDING THAT THE CONDITIONAL USE PERMIT CRITERIA HAVE BEEN MET. SECONDED BY COMMISSIONER CODY, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).
7. 9-ZN-2012 (Bacara)
COMMISSIONER CODY MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL OF CASE 9-ZN-2012 PER THE STAFF RECOMMENDED STIPULATIONS AS AMENDED, INCLUDING THE REVISED AMENDED DEVELOPMENT STANDARDS OF THE DEVELOPMENT PLAN, AFTER FINDING THAT THE PLANNED RESIDENTIAL DEVELOPMENT CRITERIA HAVE BEEN MET, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS

**CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN.
SECONDED BY COMMISSIONER PETKUNAS, THE MOTION CARRIED
UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).**

8. 2-TA-2011 (Section 7.800. Master Plan Submittal)

**VICE-CHAIR GRANT MOVED TO CONTINUE CASE 2-TA-2011 TO OCTOBER 24,
2012. SECONDED BY COMMISSIONER EDWARDS, THE MOTION CARRIED
UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).**

7. 6-TA-2009#2 (Downtown Text Amendment pertaining to the Downtown
and Citywide)

**COMMISSIONER PETKUNAS MOVED TO CONTINUE CASE 6-TA-2009#2 TO
OCTOBER 24, 2012. SECONDED BY COMMISSIONER EDWARDS, THE MOTION
CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).**

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 6:05p.m.

Jagger, Carolyn

Subject: FW: Project: Bacara (case # 9-ZN-2012)

From: Niederer, Keith
Sent: Monday, November 05, 2012 5:17 PM
To: Stevens, Katie
Subject: FW: Project: Bacara (case # 9-ZN-2012)

Hi Katie,

This e-mail came in today regarding case 9-ZN-2012, which is on the 11/14 City Council agenda. I believe it's too late for supplemental packet, can you please forward to the City Council?

Thanks, Keith

From: Schwartz, Jonathan [<mailto:Jonathan.Schwartz@ADP.com>]
Sent: Monday, November 05, 2012 11:47 AM
To: Niederer, Keith
Subject: Project: Bacara (case # 9-ZN-2012)

Good Morning Mr. Niederer

I received your voicemail, many thanks for the call back..

My name is Jon Schwartz (cell phone 480 318 5315) and I am the owner of property - 7450 E Sand Hills Road, Scottsdale AZ 85255. I have received written notification that my property was within the designated affected zone of the project.

I thought it would be best to submit my opposition letter via email. I recently had an opportunity to communicate with Josh and Seth our State representatives at the EPA (Environmental Protection Agency) and spent time going through the details of the proposal, case information as well as sent them a map of the project. The general consensus gave validity to my concerns that the destruction of this zoned environmentally protected land will directly impact the wildlife habitat, desert plants and trees. Additionally the proposed project will certainly disrupt the flood plain and aqueducts constructed and designed to protect the surrounding developments from water damage, the surrounding desert habitat, potentially impact our ability to secure the FEMA protection of flood insurance (required by our financial lending institutions as part of our financial agreements) and potential destroy additional land surrounding the new proposed developments due to the rezoning.

On a personal note-

Yesterday morning I was looking out my back fence as a bob cat came running up to the fence line, many afternoons I see local birds (owls, hawks ect) flying and using these lands as their homes and source of sanctuary and to sustain life. Eliminating these would not only displace these animals but also destroy many native plants and trees.

Thank you for your consideration

Respectfully,

Jon Schwartz
Senior District Manager
ADP Total Source
ADP Presidents Club
(480) 318-5315 Cell
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